

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 15 be amended to read as follows:

- 1 Page 4, line 17, after "mailed," insert ", **transmitted by fax,**".
- 2 Page 6, line 20, delete "(d)".
- 3 Page 6, line 20, after "2003." insert "**(d)**".
- 4 Page 10, between lines 18 and 19, begin a new paragraph and insert:
- 5 "SECTION 9. IC 3-11-10-1 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) A voter voting
- 7 by absentee ballot shall make and subscribe to the affidavit prescribed
- 8 by IC 3-11-4-21. The voter then shall, except as provided in subsection
- 9 (b), do the following:
 - 10 (1) Mark the ballot in the presence of no other person.
 - 11 (2) Fold each ballot separately.
 - 12 (3) Fold each ballot so as to conceal the marking.
 - 13 (4) Enclose each ballot, with the seal and signature of the circuit
 - 14 court clerk on the outside, together with any unused ballot, in the
 - 15 envelope provided.
 - 16 (5) Securely seal the envelope.
 - 17 (6) Do one (1) of the following:
 - 18 (A) Mail the envelope to the county election board, with not
 - 19 more than one (1) ballot per envelope.
 - 20 (B) Deliver the envelope to the county election board in
 - 21 person.
 - 22 (C) Deliver the envelope to a member of the voter's household
 - 23 or a person designated as the attorney in fact for the voter
 - 24 under IC 30-5 **for delivery to the county election board:**
 - 25 **(i) in person;**
 - 26 **(ii) by United States mail; or**
 - 27 **(iii) by a bonded courier company.**
 - 28 (b) A voter permitted to transmit the voter's absentee ballots by fax
 - 29 under IC 3-11-4-6 is not required to comply with subsection (a). The
 - 30 individual designated by the circuit court clerk to receive absentee
 - 31 ballots transmitted by fax shall do the following upon receipt of an

- 1 absentee ballot transmitted by fax:
- 2 (1) Note the receipt of the absentee ballot in the records of the
- 3 circuit court clerk as other absentee ballots received by the circuit
- 4 court clerk are noted.
- 5 (2) Fold each ballot received from the voter separately so as to
- 6 conceal the marking.
- 7 (3) Enclose each ballot in a blank absentee ballot envelope.
- 8 (4) Securely seal the envelope.
- 9 (5) Mark on the envelope: "Absentee Ballot Received by Fax".
- 10 (6) Securely attach to the envelope the faxed affidavit received
- 11 with the voter's absentee ballots.
- 12 (c) Except as otherwise provided in this title, absentee ballots
- 13 received by fax shall be handled and processed as other absentee ballots
- 14 received by the circuit court clerk are handled and processed."
- 15 Page 14, line 41, delete "(c)".
- 16 Page 14, line 41, after "December 20" insert "(c)".
- 17 Page 17, line 31, delete "household" and insert "household,".
- 18 Page 17, line 31, strike "or".
- 19 Page 17, line 32, after "voter," insert "**or**".
- 20 Page 21, line 6, after "one" insert "**(1)**".
- 21 Page 21, line 26, after "(3)" insert "**except for a voter who is:**
- 22 **(A) the person's spouse;**
- 23 **(B) an incapacitated person (as defined in IC 29-3-1-7.5)**
- 24 **for whom the person has been appointed the guardian (as**
- 25 **defined in IC 29-3-1-6); or**
- 26 **(C) a member of the person's household;"**.
- 27 Page 21, line 26, beginning with "in" begin a new line block
- 28 indented.
- 29 Renumber all SECTIONS consecutively.
- (Reference is to SB 15 as printed January 25, 2005.)

Senator LAWSON C